

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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| JOSEPH WHITEHOUSE and |) | Civil Action No.: 05-cv-10939 RWZ |
| SYLVIA WHITEHOUSE, |) | |
| |) | |
| Plaintiffs |) | |
| |) | |
| vs. |) | |
| |) | |
| ACADIA INSURANCE COMPANY, |) | |
| |) | |
| Defendant |) | |
| |) | |

DEFENDANT'S LIMITED OPPOSITION TO PLAINTIFFS'
MOTION FOR ENLARGEMENT OF TIME

NOW COMES Defendant, Acadia Insurance Company, by and through its counsel, Tompkins, Clough, Hirshon & Langer, P.A. and pursuant to Rule 7(b), F.R. Civ. P., and Rule 7.1(b), Local Rules of the United States District Court for the District of Massachusetts, respectfully submits the following limited opposition to Plaintiffs' Motion for Enlargement of Time.

On November 5, 2007, Plaintiffs filed a Motion for Enlargement of Time seeking to extend the discovery deadline on the grounds that Plaintiffs' counsel was involved in two trials during the month of November, and that Defendant had not responded to Plaintiffs' discovery requests. *See* Plaintiffs' Motion for Enlargement of Time at paragraphs 1-4. Although Defendant does not oppose Plaintiffs' Motion on the basis that their counsel will be in trial during a significant portion of the month of November, Defendant does oppose Plaintiffs' Motion on the grounds that Defendant has not responded to Plaintiffs'

discovery requests. In fact, Defendant has fully responded to both Plaintiffs' Interrogatories and Requests for Production of Documents.

Counsel for Defendant is currently awaiting dates for Plaintiff Joseph Whitehouse's deposition, which was originally scheduled for October 24, 2007, but continued at the request of Plaintiffs' counsel.

THEREFORE, while Defendant does not oppose Plaintiffs' Motion for Enlargement of Time on the basis that their counsel will be in trial during a significant portion of the month of November, Defendant does oppose Plaintiffs' Motion on the grounds that Defendant has not responded to Plaintiffs' discovery requests.

Dated: November 14, 2007

ACADIA INSURANCE COMPANY

By its counsel:

/s/ Leonard W. Langer, Esq.

/s/ Marshall J. Tinkle, Esq.
BBO # 565513

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& Langer, P. A.
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CERTIFICATE OF SERVICE

I, Leonard W. Langer, hereby certify that on November 14, 2007, I electronically filed the within document with the Clerk of the Court using the CM/ECF system which will send a notification of such filing(s) to the following: none. I further certify that on November 14, 2007, I forwarded by first class mail, postage prepaid, a copy of the within document to Thomas Michael Glynn, Esq., 114 West Foster Street, Melrose, MA 02176, counsel for Plaintiffs.

/s/ Leonard W. Langer